

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING,

In obedience to a resolution of the House of Representatives of the 9th instant, information in relation to the approbation of any General Officer of the army of the United States, of the order given by Col. King, of the 4th Regiment of Infantry, for

SHOOTING DESERTERS TAKEN IN THE FACT.

ALSO,

**WHETHER, IN CONSEQUENCE OF CORPORAL PUNISHMENT INFLICT-
ED, ANY SOLDIER HAD DIED.**

DECEMBER 14, 1820.

Read, and ordered to lie upon the table.

WASHINGTON:

PRINTED BY GALES & SEATON.

1820.

[37]

LETTERS

FROM

THE SECRETARY OF WAR

WASHINGTON

As directed by a resolution of the House of Representatives of the 21st instant, the
Commissioner of the General Land Office of the Army of the United States,
the United States of America, by Col. King of the
and to the Secretary of War, for

SHOOTING DESSERTERS TAKEN IN THE PAST

AND

WHEREIN, IN CONNECTION OF CORPORAL FURNACE, IN THE
AND, AND BARRING HAS BEEN

ORDERED 1st 1860

Good, and ordered to be done the same

WASHINGTON

PRINTED BY GALE & SON

1860

WAR DEPARTMENT,

DECEMBER 14, 1820.

SIR: In answer to that part of the resolution of the House of Representatives, of the 9th instant, requiring this Department to show whether the order, given by colonel King, of the 4th infantry, for shooting deserters taken in the fact, was approved by any general officer in the service of the United States, or was known to and passed over in silence by him, as stated in the defence of said colonel King, I have to enclose an extract of the letter of major general Jackson on that subject, which was transmitted to the House of Representatives with the copy of the trial of colonel King, and which is published in the appendix of that trial. This extract contains all the information within the knowledge of this Department on that subject.

In relation to that part of the resolution which requires any information this Department may possess, showing that corporal punishment has been inflicted on any soldier, whereby he came to his death, I have the honor to state, that the only report of that kind which has reached this Department was the case of a soldier at Fort Preble, near Portland, in Maine. Major Brooks, a correct and intelligent officer commanding that post, in September last, reported, that the death of a soldier, an habitual drunkard, who had been on a fatigue party under lieutenant Hobart, and had been confined by him, had caused much excitement among the citizens, who attributed the death of the man to the conduct of lieutenant Hobart. That the civil authority had taken up the affair for investigation, to which lieutenant Hobart had readily submitted himself. The report was accompanied with the enclosed certificate of the jury of inquest, as to the correct conduct of major Brooks, and the other officers of the post, in relation to the transaction. It thus appearing that the affair would undergo an investigation in the district court of the United States, the Department did not think it proper to order a military investigation.

I have the honor to be,

With perfect respect,

Your obedient servant,

J. C. CALHOUN.

To the SPEAKER of the
House of Representatives.

Extract of a letter from Major General Jackson to the Secretary of War, dated at

NASHVILLE, December 28, 1819.

"The proceedings of the general court martial, in the case of colonel King, of the United States' 4th regiment of infantry, have been presented to me by the judge advocate of division; but they are herewith submitted to your consideration for approval, or disapproval.

"The enclosed document, marked No. 1, is a copy of the letters from colonel King, the receipt of which is acknowledged in my letter to that officer, bearing date the 13th of April, 1819, a copy of which accompanies the proceedings of the court. In that letter, I expressed my entire approbation of the conduct of colonel King, during his command in Florida; in doing so, I had reference only to those circumstances mentioned in his letters, and such other official acts as were then within my knowledge.

"But, however unwilling I am to detract from the merit of this officer, who I have ever considered one of the most superior of his rank and profession, it is a duty which I owe myself, here to state, that, at the date of his letter, I was entirely ignorant of the order given by colonel King for shooting deserters taken within the province of Florida, and not until a short time previous to the arrest of colonel King did I become acquainted with these facts.

"I have the honor to be, &c. &c.

"ANDREW JACKSON.

"The Hon. J. C. CALHOUN."

Major ALEXANDER S. BROOKS:

SIR: The gentlemen composing the late jury of inquest at Fort Preble, sensible of the obligations they are under to you, and of the other officers of the garrison, request you to accept of their unfeigned thanks for the facilities rendered them, and the very gentlemanly and respectful conduct you were pleased to manifest towards them while engaged in the discharge of an arduous, most unpleasant, and painful duty.

For and in behalf of the jury of inquest,

OLIVER BRAY, Foreman.

JOHN M'LELLAN, Coroner.

Portland, August 28, 1820.